



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ५१]

बुधवार, ऑगस्ट ३, २०१६/श्रावण १२, शके १९३८

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असाधारण क्रमांक ८०

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Motor Vehicles Tax (Amendment) Bill, 2016 (L. A. Bill No. XXXIX of 2016), introduced in the Maharashtra Legislative Assembly on the 3rd August 2016, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

PRAKASH H. MALI,
Principal Secretary to Government,
Law and Judiciary Department.

L. A. Bill No. XXXIX OF 2016.

A BILL

further to amend the Maharashtra Motor Vehicles Tax Act.

WHEREAS it is expedient further to amend the Maharashtra Motor Vehicles Tax Act, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-seventh Year of the Republic of India, as follows :—

1. (1) This Act may be called the Maharashtra Motor Vehicles Tax (Amendment) Act, 2016. Short title and commencement.
- (2) It shall come into force on such date, as the State Government may, by notification in the *Official Gazette*, appoint.
2. In section 2 of the Maharashtra Motor Vehicles Tax Act (hereinafter referred to as “the principal Act”), after clause (1), the following clause shall be inserted, namely :—
“(1A-1) “Cess” means the Cess levied under section 3B;”.

(१)

Insertion of
section 3B in
LXV of 1958.

Levy of Road
Safety Cess.

Amendment
of section 11
of LXV of
1958.

3. After section 3A of the principal Act, the following section shall be inserted, namely :—

“3B. There shall be levied and collected such Cess, being an additional tax, at the rate, not exceeding 10 per cent. of the tax levied under section 3, in respect of the newly registered vehicles in the State and the vehicles permanently migrated to the State, as may be notified by the State Government, from time to time.”

4. In section 11 of the principal Act, after sub-section (4), the following sub-section shall be added, namely :—

“(5) The Cess levied and collected under section 3B shall be utilized for the purposes related to road safety programmes as specified in sub-section (4) of section 215 of the Motor Vehicles Act, 1988.”.

59 of
1988.

STATEMENT OF OBJECTS AND REASONS.

Sub-sections (2) and (3) of section 215 of the Motor Vehicles Act, 1988, provides for the constitution of the State Road Safety Council and District Road Safety Committees. Sub-section (4) of section 215 of the said Act provides that the Council and Committees shall discharge such functions relating to Road Safety Programme as the State Government may, having regard to the objects of the Act, specify.

2. Having regard to increase in the number of road accidents in the State, the said Council and Committees are required to take more effective steps for reducing the number thereof. For the said purposes it is considered expedient to create a separate Road Safety fund which shall consist of the amounts collected through the levy of additional motor vehicles tax, in the nature of Cess, which will be levied and collected from the vehicles which would be newly registered in the State or which would be permanently migrated to the State. For this purpose, it is proposed to suitably amend the Maharashtra Motor Vehicles Tax Act (LXV of 1958).

3. It is also proposed that, the said fund, shall be utilized for the activities of the road safety, which shall *inter alia* include,—

- (a) implementation of the guidelines issued by the Government of India in respect of road safety ;
- (b) establishment of a dedicated road safety cell for analysis of the road accidents and suggesting corrective steps ;
- (c) establishment of road safety training centre for conducting refresher courses at the time of renewal of driving license in all transport offices ;
- (d) construction of break test track and providing CCTV cameras in all transport offices of inspection of vehicles ;
- (e) establishment of road safety squad to supervise the work of road safety ;
- (f) providing equipments such as CCTV cameras, speed guns, breath-analyzers, etc., to the flying squads ;
- (g) improvement of road infrastructure by specially identifying black spots on National, State Highways and Major District Roads ;
- (h) providing road over bridges/under bridges wherever necessary;
- (i) providing appropriate signs on State Highways and Major District Roads ;
- (j) conducting public awareness programmes campaign on road safety through print and electronic media ; and empowering, financially, the District Road Safety Committees under District Collectors to conduct awareness programmes at local levels ;
- (k) providing mobile vans for conducting road safety programmes in all schools and colleges in the State ;

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(l) development and promotion of intelligent transport system ;

(m) taking up such other measures as may be necessary to improve road safety.

4. The Bill is intended to achieve the above objectives.

Mumbai,

Dated the 2nd August, 2016.

DIWAKAR RAOTE,

Minister for Transport.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

The Bill involves the following proposals for delegation of legislative power, namely :—

Clause 1(2).—Under this clause, the power is taken to the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 3.— Under this clause, which seeks to insert a new section 3B in Maharashtra Motor Vehicles Tax Act, power is taken to the State Government, to notify, the rate of Cess, being an additional tax, at the rate, not exceeding 10 per cent of the tax levied under section 3, in respect of the newly registered vehicles in the State and the vehicles permanently migrated to the State.

2. The above-mentioned proposals for delegation of legislative power are of normal character.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides insertion of new section 3B in the Maharashtra Motor Vehicles Tax Act (LXV of 1958) with a view to provide for levy of Cess on newly registered vehicles in the State and the vehicles permanently migrated to the State. Clause 4 of the Bill seeks to insert a new sub-section (5) in section 11 of the Act, which provides that, the Cess levied and collected under section 3B shall be utilized for the purposes related to road safety programmes as specified in sub-section (4) of section 215 of the Motor Vehicles Act, 1988. It is proposed to create a separate fund which shall consist of the amounts collected through the levy of Cess.

2. It is not possible, at this stage to give an estimate of the amount of recurring and non-recurring expenditure from the Consolidated Fund of the State that may be incurred for the said purposes, on the enactment of the Bill.